

Serial No: 09/722,955

Docket No: 1999-0797

REMARKS

By the present amendment, claims 44-68, 75-83 and 88-89 have been canceled. Applicants do not intend such cancellation to imply that applicants necessarily agree with the grounds of rejection set forth in the Office action. Rather, the cancellation of these claims is being made at this time simply to facilitate the issuance of a patent containing claims that have been indicated to contain allowable subject matter. Applicants therefore reserve the right to pursue the canceled claims, or claims like them, in one or more continuing applications.

It was indicated in ¶¶14-15 of the Office action that claims 69-74, 84 and 86 would be allowable if rewritten to be in independent form and/or to address rejections of those claims or their respective base claims under 35 USC 112.

Certain amendments have been made to various ones of those claims consistent with ¶¶14-15 of the Office action. It is believed that these amendments also render claims 85 and 87 allowable.

In particular, claims 69 and 72 have been rewritten in independent form and, as such, incorporate the limitations of their respective base claim and any intervening claims. In the rewritten versions of claims 69 and 72, certain changes were made to the claim language that had appeared in base claim 67, in order to address the asserted unclarity of base claim 67 (¶4 of the Office action). In particular, the recitation of "a tunable add port" has been changed at line 10 of claims 69 and 72 to "an add port." In addition, the recitation of "at least one of the input channels" in claim 67 has been changed at line 16 of claims 69 and 72 to "the at least one input channel."

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Claim 84 has been amended by changing "said front reflective surface" to "said first reflective surface." The antecedent basis for the new recitation appears at line 13.

Claim 86 has been amended to change "said input and output ports and said first optical array" to "said input port, said output port and said first optical switch array" thereby clarifying the meaning that was intended.

In view of the foregoing, it is believed that each of the claims now in the application is in condition for allowance and reconsideration is requested.

Respectfully submitted,

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Date: 10/12/2004